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AUG 11 2010

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION

U.S. DISTRICT COURT  
MID. DIST. TENN.

LETONIO SWADER  
Movant / Petitioner,

vs.

STATE OF TENNESSEE  
Defendant.

No. 3:10-cv-00465

DANIEL

This motion is  
GRANTED and the motion  
for appointment of counsel  
is GRANTED. The Federal  
Public Defender is

MOTION FOR RECONSIDERATION OF APPOINTMENT OF COUNSEL  
FOR 28 U.S.C. 2254 PETITION

appointed  
to represent  
Petitioner  
and is granted  
leave to file

Comes now the Movant / Petitioner, Letonio Swader, in proper persona and pro se, does hereby  
ask this Honorable Court to reconsider appointing counsel for the following reasons:

on  
amended  
petition, if necessary  
Sullivan  
8-16-10

- (1) Movant / Petitioner is indigent, suffers from dyslexia, and has a limited knowledge of the law due to his special education and learning disability status. (See Exhibit A);
- (2) The interest of justice will be better served with the appointment of counsel to aid with the necessary research and proper amending of said 28 U.S.C. 2254 PETITION;
- (3) This court has authority to appoint counsel pursuant to 18 U.S.C.A. 3006A. See also *Wood v. U.S.*, 389 U.S. 20, 88 S.Ct. 3 (1967); *Franklin v. Rose*, 765 F.2d 82 (6th Cir. 1985); *Powell v. Livesay*, 660 F.Supp. 82 (M.D. TN 1987); *McFarland v. Scott*, 512 U.S. 849, 114 S.Ct. 2568 (1994); and *Harbison v. Bell*, 129 S.Ct. 1481 (2009);
- (4) The Movant / Petitioner received an ORDER denying his initial request for appointment of counsel dated 5/28/10 in which Judge Echols stated, "the court has conducted a preliminary review of the petition and finds that the petitioner has stated a colorable claim for relief." (See Exhibit B, page 1);

(1)